

Introduced by Senator Soto

February 22, 2005

An act to add Article 5.6 (commencing with Section 8589.25) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to public safety, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 955, as introduced, Soto. Public safety: firefighting.

Existing law authorizes the Office of Emergency Services (OES) to acquire new or used firefighting apparatus and equipment for resale to local agencies and to provide other assistance to agencies for the acquisition of firefighting apparatus and equipment which includes any vehicle and its associated firefighting equipment.

This bill would require the Director of OES to acquire 150 additional fire engines and assign them to the Department of Forestry and Fire Protection and to fire protection agencies, as specified, pursuant to a written agreement on such terms as shall be determined by the director. The bill would also require the director to assign or reassign fire engines in a manner that promotes their rapid mobilization, organization, and operation within strategically located geographic regions of the state.

This bill would create, in the State Treasury, the continuously appropriated Response and Rescue Fire Engine Fund, to be used for the purposes of the bill, and would transfer \$25,000,000 from the Federal Trust Fund into that fund.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Over 50 years ago, the federal government established a
4 program to match state and local funds for the purchase of fire
5 and rescue apparatus and equipment. In doing so, the federal
6 government recognized that no single fire department could
7 afford to purchase and maintain sufficient fire and rescue
8 apparatus to combat a major disaster or war-caused
9 conflagration.

10 (b) In 1953 and 1954, the state, through the Governor's Office
11 of Emergency Services (OES), implemented the Governor's Fire
12 Advisory Committee recommendations and purchased 100 fire
13 engines, using federal matching funds, and assigned them to local
14 governments throughout the state through written agreements.

15 (c) For five decades, local government assignees have been
16 permitted to use the OES fire engine fleet for mutual aid
17 response, local multiple alarm fires, temporary replacement for
18 out-of-service fire apparatus, firefighter training, and other local
19 government needs. Each assignee is required to dispatch the OES
20 fire engines with the required personnel to any emergency in
21 accordance with provisions of the California Fire Service and
22 Rescue Emergency Mutual Aid Plan.

23 (d) In the aftermath of the fall 2003's southern California
24 firestorm, a 34-member Blue Ribbon Fire Commission was
25 established to examine the devastating effects of the fires in an
26 effort to prevent similar devastation of life and property in the
27 future.

28 (e) The commission's final report called on the state to
29 develop, among other things, a program funding the acquisition
30 of 150 additional OES fire engines.

31 (f) It is in the public's interest for the state to embrace the
32 commission's recommendation and in doing so, build upon its
33 existing fire engine fleet for use in mitigating the effects of all
34 forms of disasters, including terrorist acts, major fires, floods,
35 and earthquakes.

36 SEC. 2. Article 5.6 (commencing with Section 8589.25) is
37 added to Chapter 7 of Division 1 of Title 2 of the Government
38 Code, to read:

1 Article 5.6. Response and Rescue Fire Engine Act of 2005

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3 8589.25. This article shall be known and may be cited as the
4 Response and Rescue Fire Engine Act of 2005.

5 8589.26. (a) The Director of the Office of Emergency
6 Services shall acquire 150 additional fire engines to augment the
7 office's existing fleet of fire engines to be used in mitigating the
8 effects of terrorist acts, fires, floods, earthquakes, or other
9 disasters.

10 (b) The director shall assign the fire engines acquired pursuant
11 to this article to the Department of Forestry and Fire Protection
12 and those fire protection agencies of political subdivisions of this
13 state that the director determines are capable of providing
14 appropriate facilities, maintenance, and personnel for the fire
15 engines.

16 (c) The assignment of fire engines shall be made pursuant to a
17 written agreement entered into between the director and the
18 assignee, in which the assignee assumes responsibility for the
19 operation, maintenance, and staffing of the assigned fire engines
20 and agrees to such terms as shall be determined by the director,
21 including, but not limited to, the right to dispatch a fire engine
22 together with the required personnel.

23 (d) The director shall assign or reassign fire engines in a
24 manner that promotes rapid mobilization, organization, and
25 operation of the fire engines within strategically located
26 geographic regions of the state, to the extent reasonably possible.

27 8589.27. The Response and Rescue Fire Engine Fund is
28 hereby created in the State Treasury, which, notwithstanding
29 Section 13340, is continuously appropriated without regard to
30 fiscal years for the purposes of this article. Moneys may be
31 deposited in the fund pursuant to an appropriation in the annual
32 Budget Act or other statute.

33 SEC. 3. The sum of twenty-five million dollars (\$25,000,000)
34 is hereby transferred from the Federal Trust Fund to the
35 Response and Rescue Fire Engine Fund.